

ALLOWANCE

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevan Morgan August, 24, 2010 and 8/30/10.

The application has been amended as follows:

Claims 29, 31, 33, and 36 has been cancelled.

Claim 1 has been replaced by --

-- Claim 1, A computer-implemented method of facilitating trading, comprising: automatically, via a computer communications interface, sending a trial order to a computer-implemented market that enters the trial order into an order file containing orders to be paired with contra-side orders, wherein the trial order identifies an item to trade and indicates a non-zero quantity and a price for the item, the quantity indicated in the trial order being automatically set to zero when the trial order is paired with a contra-side order; and automatically, via a computer communications interface, receiving a pairing report when the trial order is paired with a contra-side order, wherein the trial order is paired for a zero quantity of the item, and wherein the trial order provides discovery of current market depth for the item at the indicated quantity and price while resulting in a pairing for a zero quantity of the item.

Claim 4 has been replaced by --

-- Claim 4, A computer-implemented method of facilitating trading, comprising: automatically, under control of instructions that are executed by one or more computing devices of a computer system:

receiving a trial order via a computer communications interface, wherein the trial order identifies an item to trade and indicates a non-zero quantity and a price for the item;

entering the trial order into an order file that contains orders to be paired with contra-side orders;

pairing the trial order with a contra-side order, wherein said pairing includes automatically adjusting the quantity indicated in the trial order to zero and producing a pairing of the trial order with the contra-side order for a zero quantity of the item; and

reporting, via a computer communications interface, the pairing of the trial order for the zero quantity of the item.

Claim 8 has been replaced by --

-- Claim 8, The method of claim 4, further comprising automatically responding to a market inquiry based on orders in the order file other than the trial order.

Claim 9 has been replaced by --

-- Claim 9, The method of claim 4, further comprising automatically removing the trial order from the order file after reporting the pairing of the trial order.

Claim 12 has been replaced by --

-- Claim 12, A computer system configured to facilitate trading, comprising:

a first computing component including a computer processor configured to generate a trial order that identifies an item to trade and indicates a non-zero quantity and a price for the item, wherein the computing component further includes a communications interface configured to send the trial order to a market that enters the trial order into an order file containing orders to be paired with contra-side orders and enables market participants to trade items, the quantity

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indicated in the trial order being automatically set to zero when the trial order is paired with a contra-side order; and

a second computing component including a computer processor configured to receive a pairing report from the market via a communications interface, wherein the trial order has been paired with a contra-side order for a zero quantity of the item, and wherein the trial order provides discovery of current market depth for the item at the indicated quantity and price while resulting in a pairing for a zero quantity of the item.

Claim 15 has been replaced by --

-- Claim 15, A computer system configured to facilitate trading, comprising:
one or more computing components including one or more computer processors configured to receive a trial order, enter the trial order into an order file that contains orders to be paired with contra-side orders, and pair the trial order with a contra-side order, wherein the trial order identifies an item to trade and indicates a non-zero quantity and a price for the item, wherein upon pairing, the one or more computing components including one or more computer processors are configured to automatically set the quantity indicated in the trial order to zero and produce a pairing of the trial order with the contra-side order for a zero quantity of the item, and wherein the one or more computing components including one or more computer processors are further configured to report the pairing of the trial order for the zero quantity of the item.

Claim 19 has been replaced by --

-- Claim 19, The system of claim 15, wherein the one or more computing components are further configured to automatically respond to a market inquiry based on orders in the order file other than the trial order.

Claim 20 has been replaced by --

-- Claim 20, The system of claim 15, wherein the one or more computing components are further configured to automatically remove the trial order from the order file after reporting the pairing of the trial order.

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Claim 23 has been replaced by --

-- Claim 23, A non-transitory computer-accessible medium storing computer-executable instructions, wherein the instructions facilitate trading at a market and, when accessed and executed, the instructions cause a computer to:

receive a trial order that identifies an item to trade and indicates a non-zero quantity and a price for the item;

enter the trial order into an order file that contains orders to be paired with contra-side orders;

pair the trial order with a contra-side order, wherein pairing the trial order includes automatically adjusting the quantity indicated in the trial order to zero and producing a pairing of the trial order with the contra-side order for a zero quantity of the item; and

report the pairing of the trial order for the zero quantity of the item.

Claim 27 has been replaced by --

-- Claim 2, The computer-accessible medium of claim 23, wherein the executable instructions further cause the computer to respond to a market inquiry based on orders in the order file other than the trial order.

Claim 28 has been replaced by --

-- Claim 28, The computer-accessible medium of claim 23, wherein the executable instructions further cause the computer to remove the trial order from the order file after reporting the pairing of the trial order.

Claim 30 has been replaced by --

-- Claim 30, The method of claim 4, wherein the order file is maintained by a market process that provides a market that enables market participants to trade items.

Claim 32 has been replaced by --

-- Claim 32, The system of claim 15, wherein the order file is maintained by a market process that provides a market that enables market participants to trade items.

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Claim 34 has been replaced by --

-- Claim 34, The computer-accessible medium of claim 23, wherein the order file is maintained by a market process that provides a market that enables market participants to trade items.

Claim 35 has been replaced by --

-- Claim 35, A computer system configured to facilitate trading, comprising:
means for receiving a trial order via a computer communications interface, wherein the trial order identifies an item to trade and indicates a non-zero quantity and a price for the item;

means for entering the trial order into an order file that contains orders to be paired with contra-side orders;

means for pairing the trial order with a contra-side order, wherein the means for pairing are configured to automatically adjust the quantity indicated in the trial order to zero and produce a pairing of the trial order with the contra-side order for a zero quantity of the item; and

means for reporting, via a computer communications interface, the pairing of the trial order for the zero quantity of the item.

Claim 37 has been replaced by --

-- Claim 37, The computer system of claim 35, further comprising means for selecting the trial order for pairing with the contra-side order without affecting the pairing priority of other orders in the order file.

Allowable Subject Matter

2. Claims 1-28, 30, 32, 34-35, and 37-38, are allowable over the art of record.

3. The following is a statement of reasons for indication of allowable subject matter. The prior art fails to teach, or suggest, the limitations of:

" A computer-implemented method of facilitating trading, comprising:

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automatically, via a computer communications interface, sending a trial order to a computer-implemented market that enters the trial order into an order file containing orders to be paired with contra-side orders, wherein the trial order identifies an item to trade and indicates a non-zero quantity and a price for the item, the quantity indicated in the trial order being automatically set to zero when the trial order is paired with a contra-side order; and

automatically, via a computer communications interface, receiving a pairing report when the trial order is paired with a contra-side order, wherein the trial order is paired for a zero quantity of the item, and wherein the trial order provides discovery of current market depth for the item at the indicated quantity and price while resulting in a pairing for a zero quantity of the item. “ as recited in the instant claims.

Guttermann et al (US Patent: 5, 297, 031) taken alone or in combination with Lupie (**US Patent: 6, 012,046** and **BEA Endorses RosettaNet Open Standards for E-Market Integration** PR Newswire. New York: Apr 10, 2000. pg. 1) fails to teach or suggest “A computer-implemented method of facilitating trading, comprising:

automatically, via a computer communications interface, sending a trial order to a computer-implemented market that enters the trial order into an order file containing orders to be paired with contra-side orders, wherein the trial order identifies an item to trade and indicates a non-zero quantity and a price for the item, the quantity indicated in the trial order being automatically set to zero when the trial order is paired with a contra-side order; and

automatically, via a computer communications interface, receiving a pairing report when the trial order is paired with a contra-side order, wherein the trial order is paired for a zero quantity of the item, and wherein the trial order provides discovery of current market depth for the item at the indicated quantity and price while resulting in a pairing for a zero quantity of the item.” as recited in the instant claims.

Conclusion

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B. Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CG

August 20, 2010

/Hani M. Kazimi/

Primary Examiner, Art Unit 3691